



**United States Department of Agriculture**

Forest Service

## **Decision Notice**

### **Boggy Draw Trails Expansion Project**

**Dolores Ranger District, San Juan National Forest, Dolores and Montezuma Counties, CO**

March 2018

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## **1. Introduction**

My decision is to implement Alternative B of the *2017 Boggy Trails Expansion Project Environmental Assessment*. The specifics of my decision are described below in Section 5.0. My decision is based on the analysis described in the *Environmental Assessment (EA)*, which was prepared for this project, and the Project Record. The EA is available at the Dolores Public Lands Office in Dolores, Colorado

## **2. Location**

The area known as Boggy Draw is located within the San Juan National Forest, approximately 3.5 miles north of the Town of Dolores. It is primarily located in ponderosa pine and accessed from the Dolores-Norwood Road (Forest Road 526). See attached / enclosed map.

## **3. Purpose of and Need for Action**

The purpose of and need for this project is to provide for an expansion of the existing trail system close to Cortez and Dolores in a way that minimizes environmental effects of unmanaged recreation through effective design, signage, and maintenance. Through this expanded trail system, the Dolores District also seeks to increase funding and partnership opportunities, as well as to provide economic benefit to Montezuma County and its municipalities through increased recreational opportunities.

### **Forest Plan Direction**

This project is consistent with the general direction, standards and guidelines provided in the 2013 San Juan National Forest Land and Resource Management Plan (Forest Plan) and would also provide progress toward meeting pertinent Forest Plan Objectives. The San Juan National Forest Land and Resource Management Plan (Forest Plan) provides desired conditions, objectives, standards and guidelines related to recreation management. This project would progress towards desired conditions and objectives and comply with standards and guidelines.

Desired Conditions in the Forest Plan include,

2.14.1 Activities are regulated primarily in order to protect the quality of the recreation settings and benefits, as well as to protect natural and cultural resources. Managers monitor conditions and implement management strategies in order to maintain desired setting characteristics.

Recreation users have opportunities to benefit from the diversity of varied terrain, scenery, and nature in the canyons, mountains, and mesas, as well as on the rivers of the SJNF and TRFO.

2.14.2 Established road and trail travel corridors offer high-quality scenery. Developed recreation facilities (including trailheads) provide relatively easy access for visitors, enabling them to enjoy a wide range of recreation experiences.

## **4. Public Involvement and Consultation**

The proposal was listed in the Schedule of Proposed Actions.

A scoping package was emailed to interested and affected persons and a public service announcement was issued to local media in July 2017. The scoping package letter also served as an opportunity to comment under 36CFR218 Project-Level Pre-decisional Administrative Review Process. Approximately 28 letters or emails were received. Some of these letters were from organizations representing various

interests and other letters were from individuals. Comments from Colorado Parks and Wildlife and others resulted in a modification to the Proposed Action so that the section of trail proposed to be built in proximity to an active raptor nest would not be carried forward. No other alternatives resulted from analysis of public comment although some additional design features were added.

A preliminary EA was published and a 30-day public comment period was initiated on November 28, 2017. The comments were carefully reviewed and a response to comments was added as Appendix B of the EA. None of the comments resulted in new information about environment effects, or caused the development of new alternatives in order to meet the purpose and need. As a result of discussions with equestrian groups and as a result of cultural resource surveys, the proposed expansion of the trailhead parking area was reduced and will not be designed specifically for horse trailers. See the details of my decision below.

In accordance with 36 CFR § 800.3(f) and Section 106 of the National Historic Preservation Act, consultation was conducted with 26 federally recognized Native American tribes. Formal letters initiating consultation for the project were mailed to all federally recognized tribes on August 14, 2017. Three tribes responded indicating that they had no concerns with the project. The list of federally recognized tribes consulted can be found on page 16-17 of the EA.

## **5. Decision**

I have reviewed the EA and the information contained in the project file. I have also reviewed and considered the public comments submitted on this project. I have determined that there is adequate information to make a reasoned choice among alternatives. It is my decision to select Alternative B Proposed Action. Maps are attached to this Decision Notice.

### ***Specifics of Decision***

The Boggy Draw Trail System Expansion Project involves the construction of approximately 25 miles of new trails within the Boggy Draw zone.

- Little Bean Connector -- 0.17
- Horse Camp Trail – 6.8
- McNeil Trail – 5.3
- String Bean Trail – 4.2
- Nth Connector – 1.0 mile
- Nth Trail – 7.1

The existing Boggy Draw parking area would be expanded slightly however, cultural sites in the vicinity would need to be avoided resulting in only minimal expansion<sup>1</sup>.

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<sup>1</sup> Cultural sites in the vicinity would need to be avoided resulting in only minimal expansion. Additional discussions with representatives of the Backcountry Horseman indicates that horseback riders typically avoid the Boggy Trail system when it is busy with mountain bike riders reducing the need for additional parking.

An 'outer boundary' is within the confines of the existing trail system including these additions and is bounded by House Creek Road, Dolores Norwood road, the northern section of the Boggy OHV system and the 527 road.

The project will be implemented according to trail management direction described in Forest Service Handbook 2309.15. See also the preliminary Design Features below. The Forest Service will seek opportunities for partnerships to accomplish this project and continue such partnerships in order to maintain the trails.

### ***Design Features***

The following design features will be implemented.

1. If the ground-disturbing activity must cross a lotic (running water) riparian area that is linear in nature:
  - a. Cross where stream banks do not exceed 30 percent slope
  - b. Select or create a stream crossing that is hardened by gravel, cobble, or bedrock.
  - c. Cross where the stream is relatively straight and shallow.
  - d. Cross at right angles to the stream.
2. Use hand tools or limited mechanized equipment to construct a trail inside the riparian area.
3. Use of water sources for trail users' livestock and dogs should be encouraged at sites already heavily impacted. In order to continue providing wildlife with access to less disturbed water sites, don't construct new trails near those.
4. District Recreation staff will continue to coordinate with the Noxious Weeds Specialist or Range staff regarding treatment of invasive plant species along trails and at the trailhead.
5. Survey for active raptor nests should be undertaken before constructing new trails. If a raptor moves into an area near an existing designated trail, consult the District Wildlife Biologist. Address new nests in accordance with Forest Plan Guideline 2.3.49 and Forest Plan Table 2.3.2. Red Tail hawk nests will be monitored annually to determine nest success and closures needed for that year.
6. Continue to install trail cattleguards or turnstiles at all fence crossings to minimize the need for trail users to open and close gates.
7. Trails would be managed as a standard terra trail of Trail Class 2 or 3, with allowed uses of Pedestrian, Pack and Saddle, and Bicycle. Design specifications associated with several types of trail use may be incorporated in order to effectively manage and maintain a trail segment. For example, trail management may include vegetation clearing limits associated with Pack and Saddle in order to allow safe passage for stock. These same trails might also incorporate some tread width, grade, and surface design elements from design parameters associated with bicycles. Additional information about trail management concepts is provided in Forest Service Handbook 2309.18.
8. Minimize "blind corners"
9. Interpretive signs include the proper rules of the trail, with an emphasis on *all uses* are required

to yield to horses, whether coming from in front or behind; and also include the "What Horses See" posters from MVBCH.

10. 'Share the Road' signs that alert drivers to the potential presence of horse, mountain bike or pedestrian use will be placed on the Dolores Norwood Road and County Road W in coordination with the Montezuma County Sherriff and approval of the Montezuma County Board of Commissioners.
11. To define a trail corner along the Horse Camp Trail, vegetation and sediment cleared from along the trail alignment, or another natural barrier, would be piled adjacent to the trail corridor and outside of historic property boundaries.
12. Ground disturbance activities associated with trail construction should be limited to the footprint necessary for trail establishment. This generally occurs in a linear feature.
13. The finalized project route for McNeil loop will be surveyed during the growing season of largeflower triteleia before trail construction begins. In the case that largeflower triteleia is found within the project area, any proposed trail location would be adjusted as necessary.
14. Two areas that were identified as indicated habitat for largeflower triteleia within the project area will be re-surveyed in an effort to identify the species in more favorable conditions.

## **6. Rationale**

Single track, non-motorized recreation opportunities on the existing Boggy Draw trail system provide important benefits to Forest visitors, including a single track experience for visitors of many experience levels. In addition, the Boggy Draw motorized system provide good, beginner to intermediate level motorized access that is close to the towns of Dolores and Cortez . Recreation opportunities are accessible via improved roads.

Trail systems with loops are appealing because they offer a variety of distances, difficulty, and ecosystems during a single outing. "Stacked" or "nested" loop trail systems, in particular, make optimal use of available land, concentrating use within a heavily managed area while allowing other areas in the forest to remain less developed. This provides better wildlife habitat and undeveloped recreation opportunities.

The Boggy Draw trails area is one of only a few places on the Dolores District that offers a stacked or nested trail system. Although some longer-distance trails may be proposed for the greater Boggy-Glade Travel Management landscape in the future, expansion of stacked trails beyond the vicinity of the Boggy Draw Trails area is not anticipated. The Boggy Draw Trail System Expansion Project proposed today will add loops only within or immediately adjacent to the current system.

## **7. Other Alternatives Analyzed**

Besides Alternative B, one additional alternative (Alternative A No Action) was analyzed in detail in the environmental assessment. In addition, one alternative was considered but not analyzed in detail (EA page 4). I did not select Alternative A No Action because it would not improve the trail system. Although the existing Boggy trails system provides many opportunities and would continue to do so, the expansion provides additional connections and experiences.

## **8. Findings Required by Other Laws and Regulations**

In reviewing the EA and actions associated with Alternative B, I have concluded that my decision is consistent with the following laws and requirements:

### ***The National Environmental Policy Act (NEPA)***

NEPA establishes the format and content requirements of environmental analysis and documentation as well as requirements for public involvement and disclosure. The entire process of preparing this environmental assessment was undertaken to comply with NEPA.

### ***The National Forest Management Act (NFMA)***

I find this decision to be consistent with the long term management objectives as discussed in the San Juan National Forest Plan as amended.

### ***The Endangered Species Act of 1973, as amended***

Threatened, Endangered and Forest Service sensitive species were evaluated and the impacts described in EA pages 8-11 and 14, and in Biological Assessments and Evaluations located in the project file. These evaluations were conducted in accordance with section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.). Conclusions from these evaluations are provided in the Finding of No Significant Impact section of this Decision Notice.

### ***Clean Water Act***

Water quality and the health of municipal watersheds is maintained as described in pages 14-15 of the EA.

### ***Civil Rights and Environmental Justice***

Executive Order 12898 on environmental justice requires federal agencies to identify and address any disproportionately high and adverse human health or environmental effects on minority and low income populations. After evaluating the EA, I have determined that there would be no discernible impacts.

### ***The National Historic Preservation Act***

On November 22, 2017, the Forest received concurrence from the Colorado Office of Archaeology and Historic Preservation (SHPO) with the recommended finding of no historic properties affected pursuant to 36 CFR § 800.4(d)(1).

## **9. Finding of No Significant Impact**

### ***Context***

Disclosure of effects in the EA may differ by the resource being analyzed and by the scale of analysis. Multiple scales and levels of analysis were used to determine the significance of the effects on the human environment. I find this project is local in scope.

## ***Intensity***

Intensity is a measure of the severity, extent, or quantity of effects, and is based on information from the effects analysis of this EA and the references in the project record. The effects of this project have been appropriately and thoroughly considered with an analysis that is responsive to concerns and issues raised by the public. The Forest Service has taken a hard look at the environmental effects using relevant scientific information and knowledge of site-specific conditions gained from field visits. My finding of no significant impact is based on the context of the project and intensity of effects using the ten factors identified in 40 CFR 1508.27(b).

***Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.***

Both beneficial and adverse effects of the proposed action have been disclosed and considered. See the effects analysis of the proposed action in the EA pages 7-15. The existence of considerable beneficial effects in the absence of significant adverse impacts does not impose a requirement to complete an Environmental Impact Statement.

***The degree to which the proposed action affects public health or safety.***

Any potential for increased trail traffic conflicts would be mitigated through implementation of Design Criteria described above, such as signing (EA page 8).

***Unique characteristics of the geographic area such as the proximity to historical or cultural resources, parklands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.***

No actions would occur within or affect prime farmlands, wilderness areas, roadless areas, wild and scenic rivers or other designated special areas (EA page 7). There are no wetlands that intersect the proposed trails. See below for a discussion of historical and cultural resources.

***The degree to which the effects on the quality of the human environment are likely to be highly controversial.***

These types of trails have been constructed throughout the National Forest system for decades and their associated effects have been documented in the existing body of scientific literature. There is no evidence of any substantial scientific dispute regarding the size or nature of the effects.

***The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.***

This project is not unique, as the San Juan National Forest. When professional experience is paired with the substantial body of literature on the subject, there is little uncertainty regarding effects.

***The degree to which the action may establish precedent for future actions with significant effects or represents a decision in principle about a future consideration.***

This is a stand-alone project and its associated actions would not set a precedent or make a decision in principle about future actions or considerations. Any new proposals for trails, similar to or entirely different from the proposed action will be subject to further site-specific evaluation and analysis as required under the NEPA.

***Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.***

The effects of one project must overlap in time and space with the effects of other projects in order to produce a cumulative effect. The spatial and temporal scales considered for cumulative effects varied depending on the resource analyzed. No significant cumulative effects associated with the proposed action were identified for any resources, and when reviewed together, no major effects are considered likely (EA page 7-14).

***The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.***

A cultural resource investigation of the effects of the actions described in this proposal was performed. On November 22, 2017, the Forest received concurrence from the Colorado Office of Archaeology and Historic Preservation (SHPO) with the recommended finding of no historic properties affected pursuant to 36 CFR § 800.4(d)(1). The proposed action will have no effect on any cultural resources eligible for listing on the National Register of Historic Places (EA page 15-16).

***The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.***

Based on the project location there are no federally listed species that have habitat or known occurrences within the analysis area. Since there are no federally listed threatened or endangered plant species known or suspected to occur in the project area, and there is no habitat for these species in the project area, a determination of “no effect” was reached.

***Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.***

This action complies with Federal laws imposed for the protection of the environment. Local County and Town of Dolores officials were consulted and no conflict with local land use plans was identified.

## **10.Pre-decisional Administrative Review Process**

This project is subject to pre-decisional administrative review pursuant to 36 CFR 218, Subpart B. Also called the “objection process” the pre-decisional administrative review process replaced the appeal process in March of 2013. The primary difference with the objection process is that a person may object to a project prior to the final decision, whereas under the appeal procedures, appeals were made after the decision.

The Notice of Opportunity to Object printed in *The Journal* on January 30<sup>th</sup>, 2018. No objections were received.

## **11.Implementation**

Implementation may begin immediately but is anticipated to begin in early summer 2018.

## **12.Contact Persons/Further Information**

For additional information concerning this decision or the environmental analysis, contact Tom Rice or Debbie Kill at the Dolores Public Lands Office at (970) 882-7296.

## **13.Responsible Official**

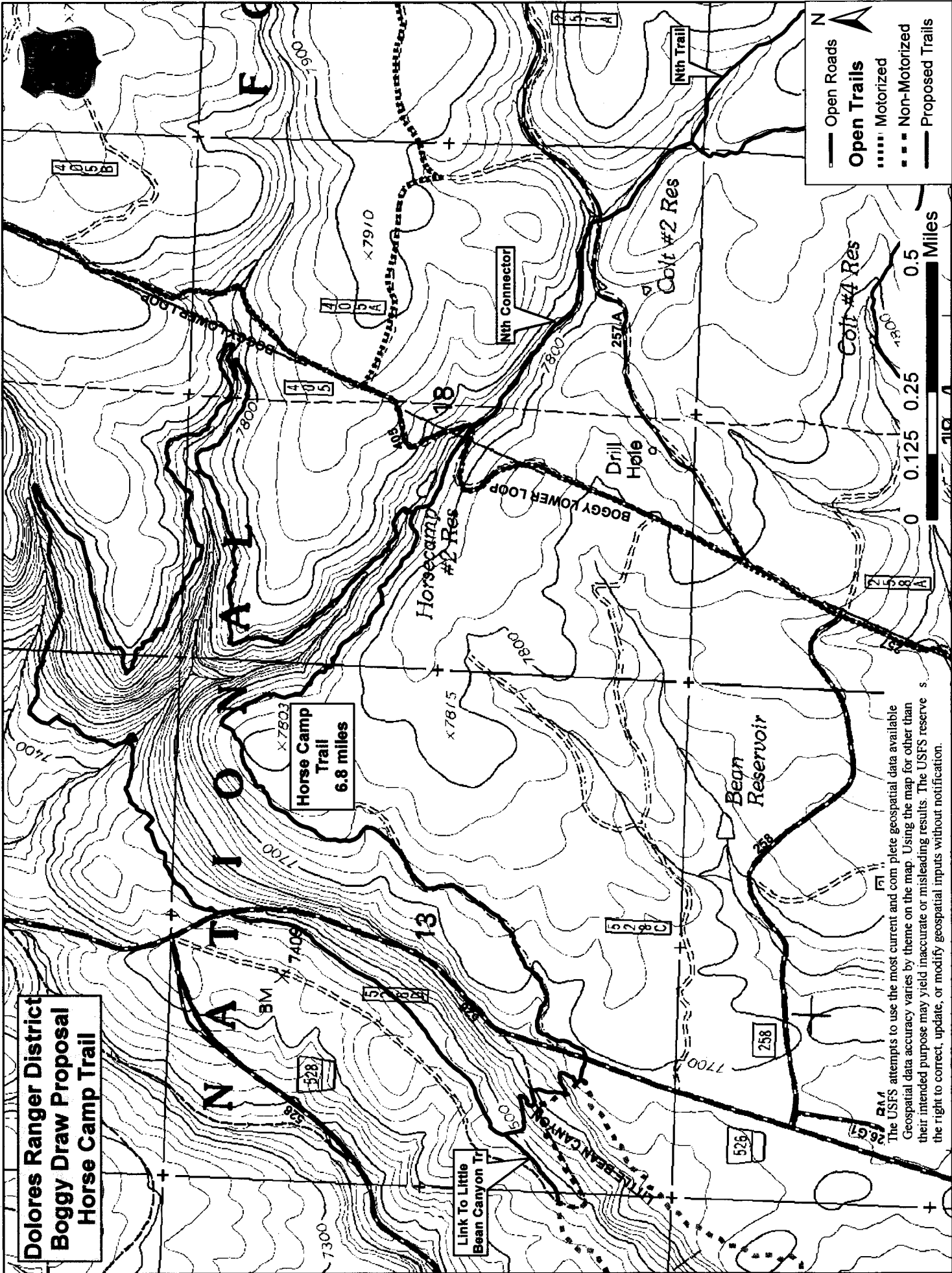
The District Ranger of the Dolores Ranger District of the San Juan National Forest is the official responsible for the final decision

 3/16/2018

DEREK PADILLA

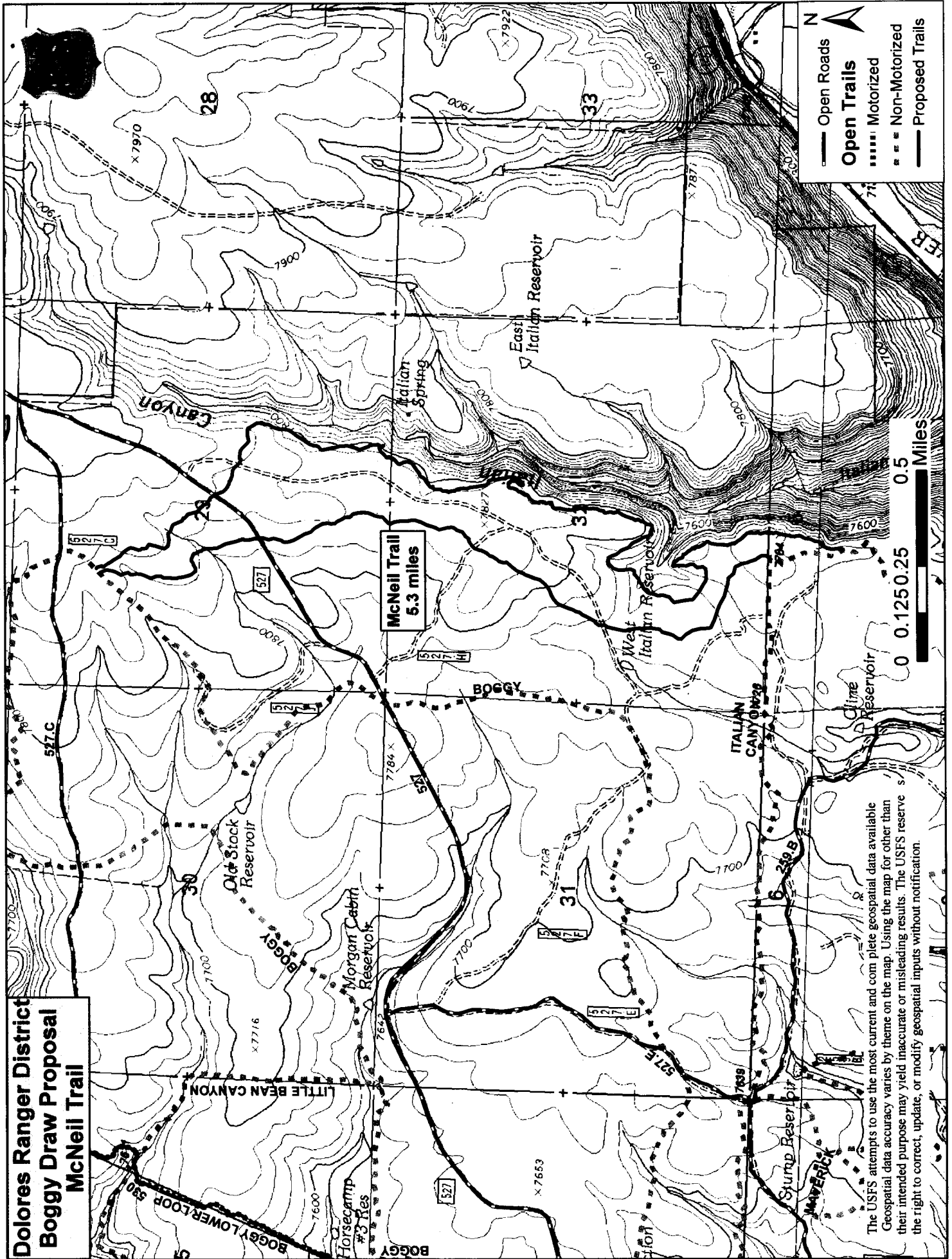
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Dolores District Ranger

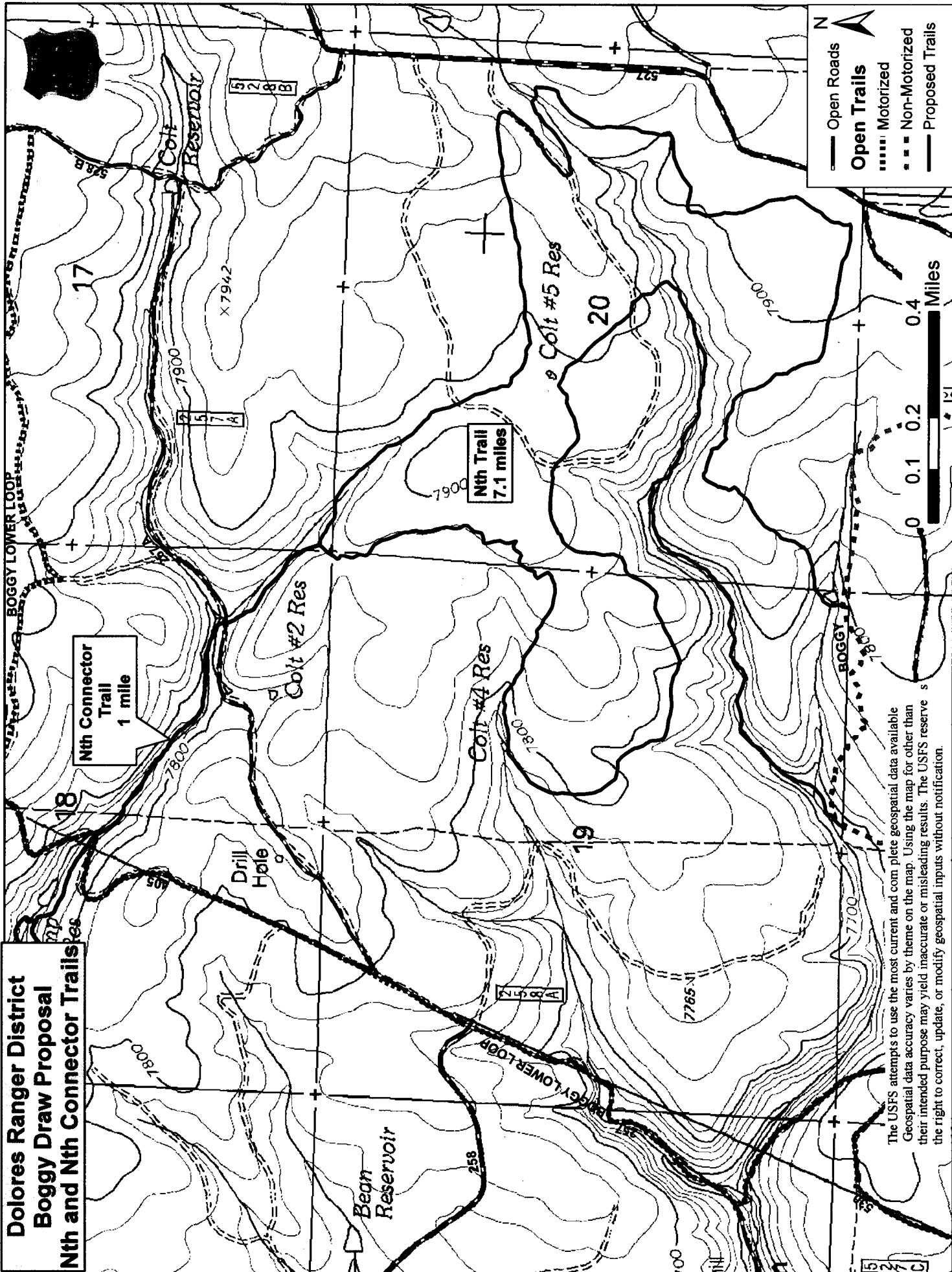


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# **Dolores Ranger District Boggy Draw Proposal McNeil Trail**



# **Dolores Ranger District Boggy Draw Proposal Nth and Nth Connector Trails**



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**Dolores Ranger District  
Boggy Draw Proposal  
String Bean Trail**

Legend:  
 — Open Roads  
 - - - - - Open Trails  
 ..... Motorized  
 - . - . - Non-Motorized  
 — Proposed Trails

Scale: 0 0.125 0.25 0.5 Miles

Map Labels:  
 Horsecamp #4 Res  
 Beaver Point #4 Res  
 String Bean Trail 4.2 Miles  
 Beaver Point #5 Reservoir  
 Little Bear Canyon  
 Drill Hole  
 X7610  
 X7624  
 X7551  
 X7498  
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